

STOREY COUNTY COMMISSION MEETING

TUESDAY, JUNE 7TH, 2011 1:00 P.M.

DISTRICT COURTROOM

26 SOUTH B STREET, VIRGINIA CITY, NEVADA

MINUTES

BOB KERSHAW
CHAIRMAN

BILL MADDOX
DISTRICT ATTORNEY

GREG "BUM" HESS
VICE-CHAIRMAN

BILL SJOVANGEN
COMMISSIONER

VANESSA DU FRESNE
CLERK-TREASURER

Roll Call.

Present: Sheriff Gerald Antinoro, Fire Chief Hames, Vice-Chairman Greg Hess, Chairman Bob Kershaw, Administrative Officer Holli Kiechler, District Attorney Bill Maddox, Commissioner Bill Sjovangen and County Manager Pat Whitten.

CLOSED SESSION 1:00 P.M. Closed meeting pursuant to NRS 288.220(4) for the purpose of conferring with the County's management regarding labor negotiations.

CALL TO ORDER AT 1:00 P.M.

The meeting was called to order by The Chair at 1:06 P.M.

Motion: Move to closed meeting to confer with County Management regarding labor negotiations pursuant NRS 288.220(4), **Action:** Approve, **Moved** by Vice-Chairman Hess, **Seconded by** Commissioner Sjovangen.

Vote: Motion carried by unanimous vote (**summary:** Yes=2).

Session closed with recording devices off.

BREAK

The Chair called for a recess at 1:50 P.M.

Roll Call.

Present: Sheriff Gerald Antinoro, Recorder Jen Chapman, Director of IT James Deane, Director of Community Services Deny Dotson, Comptroller Hugh Gallagher, Director of Community Development Dean Haymore, Vice-Chairman Greg Hess, Chairman Bob Kershaw, Administrative Officer Holli Kiechler, District Attorney Bill Maddox, Senior Planner Austin Osborne, Bailiff Josh Rothschild, Commissioner Bill Sjovangen and County Manager Pat Whitten.

CALL TO ORDER AT 2:00 P.M.

The standard open Commission meeting was reconvened by the call of the Chair at 2:07 P.M.

County Manager Pat Whitten disclosed the relationship of AFSCME Union President Tobi Whitten as his daughter and stated that the benefits under that contract usually mirror his and Administrative Officer Holli Kiechler in their unrepresented positions. He also disclosed Sheriff employees Keith Kiechler as Holli's husband and Bart Lambert as her brother.

DISCUSSION/POSSIBLE ACTION: Approval of modifications and extension of the Agreement between Storey County (Employer) and the Storey County Employee's Association (Union) also referred to as AFSCME Local Union.

Mrs. Kiechler said the AFSCME negotiation was very thorough with language clean up and fiscal items were discussed. The contract is up for a 2 year renewal at an increase of \$20,867.09.

Motion: Approve of modifications and extension of the Agreement between Storey County (Employer) and the Storey County Employee's Association (Union) also referred to as AFSCME Local Union, **Action:** Approve, **Moved by** Vice-Chairman Hess, **Seconded by** Commissioner Sjovangen.

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).

Vice-Chairman Hess thanked Tobi Whitten and Gerrie Honea for their time and effort spent in the negotiation process.

DISCUSSION/POSSIBLE ACTION: Approval of modifications and extension of the Agreement between Storey County (Employer) and the Storey County Sheriff's Office Employee's Association (Union) also referred to as OE3 Local Union.

Mrs. Kiechler stated that this group had not bargained in a while which resulted in about 24 of the 28 articles being changed. The negotiations resulted in a

savings of \$73,595.04. Vice-Chairman Hess thanked Keith Kiechler for his time and efforts in negotiating the contract that hadn't been scrutinized in 5 years.

Motion: Approve of modifications and extension of the Agreement between Storey County (Employer) and the Storey County Sheriff's Office Employee's Association (Union) also referred to as OE3 Local Union, **Action:** Approve, **Moved by** Commissioner Sjovangen, **Seconded by** Vice-Chairman Hess.

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).

DISCUSSION/POSSIBLE ACTION: Approval of Memorandum of Understanding between Storey County (Employer) and the Storey County Firefighters Association (Union) also referred to as IAFF Local 4227.

Mrs. Kiechler said they were unable to bargain due to deadline issues. They have instead entered into a Memorandum of Understanding that increases salaries for a change of \$37,500. Mr. Whitten thanked Fire Chief Hames.

Motion: Approve Memorandum of Understanding between Storey County (Employer) and the Storey County Firefighters Association (Union) also referred to as IAFF Local 4227, **Action:** Approve, **Moved by** Vice-Chairman Hess, **Seconded by** Commissioner Sjovangen.

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).

PLEDGE OF ALLEGIANCE

The Chair led those present in the Pledge of Allegiance.

PUBLIC COMMENT

Brett Tyler, Board Member of the Washoe Storey Conservation District, gave an update on the Community Garden. He distributed a map and stated that they have had a lot of community support and donations. The area has been graded, there is dirt and they have a lead on fencing. Vice-Chairman Hess stated that Troy Regas and Sara have given time, equipment, rock and dirt to the project.

Darren McKay, Community Chest Youth Development & Prevention Coordinator, stated that they are very happy with the Community Garden and walking trail. He has been working with Hillside students at the After School Exercise Program. He voiced concerns from students in Virginia City regarding the skate park. They need a new location and plan to bring a student committee in front of The Board to discuss.

Troy Regas, a property owner in Rainbow Bend, has noticed more people out walking now with the path. He is happy to help with the Community Garden and also thanked Connie Butts and wished her well on her pending departure.

Mark Joseph Phillips, a Storey County resident, spoke of the May 16th minutes in regards to the discussion of zero net proceeds from mining and projections of zero proceeds. He stated that the Recorder's office has information available on mining permits and fees and the Planning Department has information on mining and exploration applications.

CONSENT AGENDA

(All matters listed under the consent agenda are considered routine, and may be acted upon by the Board of County Commissioners with one action, and without an extensive hearing. Any member of the Board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting. The Commission Chair reserves the right to limit the time allotted for each individual to speak.)

Approval of Agenda for June 7, 2011
Approval of Minutes from May 3, 2011
Approval of Minutes from May 16, 2011

Correspondence - Staff Recommendation Summary regarding Union Contracts. Picture of Lockwood Community Garden submitted by Brett Tyler. E-mail from Pat Whitten regarding Taormina Antenna Towers Alternative Motion F. POOL/PACT brochure. January 9, 2009 letter regarding nuisance complaint. Buddy Morton display board presentation explanation.

Approval of Claims - Payroll May 27, 2011 & Warrants May 20, 2011 and June 3, 2011

Approval of Maps - none

Approval of Assessor corrections to the Tax Roll - none

Approval of Treasurer's Report - April 2011

Approval of Planning Commission Minutes - none

Approve New and/or Revised County Policies - none

Approve Western Nevada HOME Consortium Interlocal Agreement.

Approval of Resolution 11-328 to augment the 2010/2011 budget of Storey County General Fund.

Approval of Resolution 11-329 to augment the 2010/2011 budget of Storey Fire Fund

Approve First Reading, add Cabaret License to existing, Greg Sutherland, Silver Dollar Saloon.

Approve First Reading, Out of County License to Martin Wellman, Protect A Home.

LICENSING BOARD:

FIRST READINGS:

1. **DMC, Inc. dba MOODY WEISKE** – Contractor / 103 Keystone Avenue ~ Reno
2. **RENO TILE & MARBLE, INC.** – Contractor / 1660 Clifford ~ Reno
3. **WILLIAMS SCOTSMAN, INC.** – Contractor / 4911 Allison Parkway ~ Vacaville, CA
4. **THE ROASTING HOUSE – HB / 4770 Livery Road**
5. **MISSOURI PACKAGING SVCS, INC.** – Contractor / 400 West St. Eunice ~ Fulton, MO
6. **ADRIANA’S ANTIQUES – HB / 2589 Keystone Circle, VC**
7. **GROVES FISCHER, INC** – Contractor / 7788 White Fir Street ~ Reno
8. **GSI COMMERCE SOLUTIONS, INC. –General / 2777 USA Parkway, TRI**
9. **CHICKEN HAWK TRANSPORT – Transportation / 235 London, TRI**
10. **DTS TOW, INC.** – General / 3051 Deer Run Road ~ Carson City, NV

END OF CONSENT AGENDA

Motion: Approve Consent Agenda, **Action:** Approve, **Moved by** Vice-Chairman Hess, **Seconded by** Commissioner Sjovangen.

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).

DISCUSSION: Committee/Staff Reports

Community Development Director Dean Haymore

1. Benco Dental will hold their Grand Opening on August 10, 2011.

Recorder Jen Chapman

1. Recorded maps are being integrated into the indexing system for public access on the internet in the next couple of months.

Assessor Jana Seddon

1. Assessor Bill SB249 passed which will allow for electronic filings of veteran exemptions and continues the 2% tech fund for 2 more years which will help all areas keep up with technology and produce updated GIS maps.
2. There were 3 cases brought to the State Board of Equalization in which none were granted a change in value.

Community Services Director Deny Dotson

1. The Spretre Challenge will take place on June 18-19 on the Truck Route. They added a parade and exotic car show of over 100 cars.
2. It is a struggle each year to put on a great Fireworks Show. Facebook ranks Virginia City in the Top 10 places to watch fireworks.

Canyon GID Manager Connie Butts

1. Introduced her replacement, Mitch Andreini, who has 27 years of experience at Sierra Pacific.

County Manager Pat Whitten

1. Welcomed Mitch Andreini and stated that he "has huge shoes to fill".
2. Expanded on the Assessors Tech fund and how it benefits all County Departments. He thanked Ms. Seddon for her generosity.
3. Suggested cancelling the second meeting in July due to conferences.
4. The Legislature has closed with no anticipation of a special session. The anticipated impact of \$246,000 is down to about \$60,885.

DISCUSSION/POSSIBLE ACTION: Carol Ingalls - Acceptance of renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment from fiscal year 2011-2012 funds.

Carol Ingalls and her associate Doug Smith of POOL/PACT, announced that the renewal of the County property and liability insurance is holding at a 4% increase. There were small changes in property values and exposures such as emergency runs and volunteer EMT's. Mr. Whitten complimented Carol and Doug for their amazing analysis of our needs.

Motion: Approve renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment from fiscal year 2011-2012 funds, **Action:** Approve, **Moved by** Vice-Chairman Hess, **Seconded by** Commissioner Sjovangen.

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).

DISCUSSION/POSSIBLE ACTION: Colleen Sievers – Bureau of Land Management: Presentation/Update on the proposal to reduce site safety hazards at the United Comstock Merger Mill at American Flat. This presentation also includes information on the public review and comment process for the project's DRAFT Environmental Assessment, identification of historic properties along with the BLM process for compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, and an opportunity to ask questions.

Colleen Sievers, Project Manager with BLM in Carson City, gave a brief update on American Flat Mill. She explained the purpose of Section 106 of the National Historic Preservation Act and submitted a handout. Chairman Kershaw questioned where funding for any action might come from. Ms. Sievers stated that funding would be figured into BLM's budget. Several people did attend a Public Meeting at the BLM office and more written comments are encouraged. Mr. Whitten suggested the County sign on as a consulting party with Austin Osborne as the primary contact. Storey County would then be at the table deciding on the mitigation.

No Action, Discussion Only.

DISCUSSION/POSSIBLE ACTION: Second Reading, Out of County License to Paul K. Singh, John F. de Podesta and Thomas Kloster, Primus Telecommunications, Inc.

Sheriff Antinoro asked to continue the item until he could further review.

Motion: Continue Second Reading, Out of County License to Paul K. Singh, John F. de Podesta and Thomas Kloster, Primus Telecommunications, Inc., **Action:** Approve, **Moved by** Vice-Chairman Hess, **Seconded by** Commissioner Sjovangen.

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).

DISCUSSION/POSSIBLE ACTION: Second Reading, On-Sale Liquor License to Comstock Mining Inc., Gold Hill Hotel (change of officers/directors).

Sheriff Antinoro said the background check is completed and asked for approval.

Motion: Approve Second Reading, On-Sale Liquor License to Comstock Mining Inc., Gold Hill Hotel (change of officers/directors), **Action:** Approve, **Moved by** Commissioner Sjovangen, **Seconded by** Vice-Chairman Hess.

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).
The Chair called for a recess at 2:49 P.M.

Reconvened by call of The Chair at 3:04 P.M.

DISCUSSION/POSSIBLE ACTION: Approve, Amend, Ignore, Reject, or Remand the action recommended by the Planning Commission in regards to the Application for Special Use Permit (SUP Application No. 2011-010) of Thomas Taormina. Item continued from the May 3 meeting of the Board of County Commissioners

Chairman Kershaw stated that this is a continuance of a previously heard item and asked that only new public comment is made. Senior Planner Austin Osborne stated that at the County Commission meeting of May 3rd, 2011, a timeline of actions was requested for further review. A staff timeline from 1997 to present was presented along with supporting documents such as building permits, building permit applications, emails and letters of correspondence. Mr. Osborne explained the submitted Enclosures with specific notes to Enclosure #5 as a timeline submitted by Tom Taormina's legal Council, Fred Hopengarten. County Manager Whitten submitted a suggested Alternative Motion F and asked for further clarification of "a relative". Mr. Hopengarten stated that he had no disputes to any of the dates in the timeline and asked to pass Motion F.

Chairman Kershaw asked for any additional Public Comment. Buddy Morton, a Virginia City Highlands resident, presented his own timeline. He wished for the laws to be enforced and all violations be fined. Mr. Morton continued to explain his presentation listing dates, events and violations involving the towers as well as a nuisance complaint that he had filed himself. He asked why a fence and a sidewalk are taxed but the towers are not. Mr. Morton asked for a written document stating that the Commissioners will address all the violations from the past 14 years. He then publically submitted another nuisance complaint. A round of applause followed from the audience.

Jed Margolin, a Virginia City Highlands resident, questioned the new negotiation to permit a relative, not just Tom or Midge Taormina, to keep the towers. He expressed concern that if the County doesn't give Mr. Taormina what he wants, he will sue the County again which will cost the County money. Mr. Margolin compared this situation to the Cordevista project where the County has the right to control its own destiny.

Kathleen Stormoen, a Virginia City Highlands resident, added information on the taxing of personal property and spoke of the permit process. She spoke of safety issues and encroaching on neighboring property.

Vice-Chairman Hess expressed his discomfort with how the towers were erected and the total disregard for neighbors. He would rather not have any towers obstructing the view of the entrance to the Highlands but may entertain a few 45 foot towers. Commissioner Sjovangen said it appears that everyone involved made errors.

Motion: Maintain all existing amateur HAM radio towers which have received approved Storey County building permits and deny those which have not been erected with an approved building permit, in no case will any tower exceed 45 feet in height, and to deny SUP 2011-010 and the owner of property should be in compliance with this within 90 days and if the house sells, forecloses or the passing, only towers with permits may stay, **Action:** Approve, **Moved by** Commissioner Sjovangen, **Seconded by** Vice-Chairman Hess and Chairman Kershaw.

Vote: Motion carried by unanimous vote (**summary:** Yes = 3).

District Attorney asked to be authorized to negotiate with Mr. Hopengarten that as long as a Federal Case is started within 60 days, the County Codes won't be enforced.

LICENSING BOARD:

SECOND READINGS:

1. **DAVIS COMPANY, INC.** - Contractor / 2485 Sutro Street, Reno
2. **HARDESTY'S GENERAL REPAIR** - Contractor / 120 N. Main Street, Yerington
3. **COMSTOCK NITES** - Nonprofit / 76 North C Street, VC
4. **AM POWER SYSTEMS** - Home Business / 340 Prospector Road, MT
5. **ENVIRONMENTAL PROTECTION SERVICES** - Contractor / 3579 Hwy 50 E, Carson City
6. **KEITH SHAMBLIN CONSTRUCTION, INC.** - Contractor / 128 Hillcrest Circle, Dayton
7. **E CONKLIN RESTORATION** - Contractor / 46 Hardy Drive, Sparks
8. **SIERRA PAINTING, INC.** - Contractor / 265 Golden Lane, Reno
9. **JACKSON QUALITY DRYWALL** - Contractor / 2528 Business Parkway, Suite B, Minden
10. **SCHLUTER SYSTEMS, L.P.** - General / 100 Germany Circle, TRI

Mr. Haymore asked to continue Schluter Systems as they are still building.

Motion: Continue Second Readings of Licensing Board Item #10, Schluter Systems, **Action:** Approve, **Moved by** Commissioner Sjovangen, **Seconded by** Vice-Chairman Hess.

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).

Mr. Haymore asked to approve Item #1 through Item #9.

Motion: Approve Second Readings of Licensing Board Items #1 through #9,

Action: Approve, **Moved by** Commissioner Sjovangen, **Seconded by** Vice-Chairman Hess.

Vote: Motion carried by unanimous vote (**summary:** Yes = 2).

BOARD COMMENT

None

ADJOURNMENT

The meeting was adjourned by call of The Chair at 3:52 P.M.

Respectfully submitted by:

Jessie Fain
Storey County Deputy Clerk-Treasurer

Please note that these minutes have not yet been approved and are subject to revision at the next meeting. These minutes are presented in a summary format and are not verbatim.